

# **EXHIBIT 9**

**Morrison, Azadeh**

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**From:** Matt Antonelli <matt@ahtlawfirm.com>  
**Sent:** Monday, January 28, 2019 2:51 PM  
**To:** Gardner, Eamonn; Morrison, Azadeh; McIntosh, Jocelyn; z/FB-Motiva; Deron Dacus; Keefe, Heidi  
**Cc:** Larry Thompson; sdavis@stafforddavisfirm.com; Zac Harrington; Michael Ellis; cbartles@stafforddavisfirm.com  
**Subject:** Re: Motiva v. Facebook Technologies - Venue Discovery

Eamon—

As you know, we filed our opposition brief on Friday, and so obviously did not accept your proposal below. We did not really have a chance to fully digest it since it was sent to us only the evening before our opposition was due.

Having now had a chance to think about it, I want to respond. It does not make sense to do a re-do 30(b)(6) deposition at this point. Based on the current record, it is clear that Oculus's motion should be denied. There is no good reason to delay that result.

Best regards,

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**From:** "Gardner, Eamonn" <egardner@cooley.com>  
**Date:** Thursday, January 24, 2019 at 8:29 PM  
**To:** Matt Antonelli <matt@ahtlawfirm.com>, "Morrison, Azadeh" <amorrison@cooley.com>, "McIntosh, Jocelyn" <jmcintosh@cooley.com>, z/FB-Motiva <zFBMotiva@cooley.com>, Deron Dacus <ddacus@dacusfirm.com>, "Keefe, Heidi" <hkeefe@cooley.com>  
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**Subject:** Motiva v. Facebook Technologies - Venue Discovery

Counsel,

Following up on the deposition of Mr. Duffey, Facebook Tech has produced all agreements with Best Buy, Microsoft, Premium Retail Services, and Micro Center related to demonstrations of Oculus products in the Eastern District of Texas. Additionally, Facebook Tech is willing to make available another witness to testify about the Rule 30(b)(6) topics, including the relationships discussed in these contracts, and to grant Plaintiff an extension of its opposition brief to accommodate this deposition. Please let us know if this is agreeable so that we can prepare appropriate papers to file with the Court.

Regards,

Eamonn

**Eamonn Gardner**

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